

R309-150 Water System Rating Criteria (Effective March 8, 2006)

Note: The Division of Drinking Water is currently revising rules. Because of this, some of the references to rule numbers outside of this document may be invalid. This rule will eventually be rewritten as R309-400.

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R309-150. Water System Rating Criteria.

R309-150-1. Authority.

Under authority of Utah Code Annotated, Section 19-4-104, the Drinking Water Board adopts this rule in order to evaluate a public water system's standard of operation and service delivered in compliance with R309-101 through R309-113 and R309-301 through R309-302 hereinafter referred to as Rules.

R309-150-2. Extent of Coverage.

These rules shall apply to all public water systems as defined in R309-101.

R309-150-3. Definitions.

Approved - means that the public water system is operating in substantial compliance with all the Rules as measured by this rule.

Board - means the Drinking Water Board.

Community Water System - means a public water system which serves at least fifteen service connections used by year-round residents or regularly serves at least twenty-five year-round residents.

Contaminant - means any physical, chemical, biological, or radiological substance or matter in water.

Corrective Action - means a provisional rating for a public water system not in compliance with the Rules, but making all the necessary changes outlined by the Executive Secretary to bring them into compliance.

Executive Secretary - means the Executive Secretary of the Drinking Water Board.

Major Bacteriological Routine Monitoring Violation- means that no routine bacteriological sample was taken as required by R309-104-4.6.1.

Major Bacteriological Repeat Monitoring Violation - means that no repeat bacteriological sample was taken as required by R309-104-4.6.2.

Major Chemical Monitoring Violation - means that no initial background chemical sample was taken as required in R309-106-3(1)(b).

Maximum Contaminant Level (MCL) - The maximum permissible level of a contaminant in water which is delivered to any user of a public water system. Individual maximum contaminant levels (MCLs) are listed in R309-103.

Minor Bacteriological Routine Monitoring Violation- means that not all of the routine bacteriological samples were taken as required by R309-104-4.6.1.

Minor Bacteriological Repeat Monitoring Violation - means that not all of the repeat bacteriological samples were taken as required by R309-104-4.6.2.

Minor Chemical Monitoring Violation - means that the required chemical sample(s) was not taken in accordance with R309-104-4.

Non-Community Water System - means a public water system that is not a community water system or a non-transient non-community water system.

Non-Transient, Non-Community Water System - means a public water system that is not a community water system and that regularly serves at least 25 of the same persons for more than six months per year. Examples are separate systems serving workers and schools.

Not Approved - means the water system does not fully comply with the Rules as measured by this rule.

Public Water System - means a system, either publicly or privately owned, providing water for human consumption and other domestic uses which has at least fifteen service connections, or regularly serves an average of at least twenty-five individuals for at least sixty days out of the year. Such term includes collection, treatment, storage and distribution facilities under control of the operator and used primarily in connection with the system. Additionally, the term includes collection, pretreatment or storage facilities used primarily in connection with system but not under such control.

Routine Chemical Monitoring Violation - means no routine chemical sample(s) was taken as required in R309-104-4.

Sanitary Seal - A cap that prevents contaminants from entering a well through the top of the casing.

Shall - means that a particular action is obliged and has to be accomplished.

Unregulated Contaminant - A known or suspected disease causing contaminant for which no maximum contaminant level has been established.

R309-150-4. Water System Ratings.

(1) The Executive Secretary shall assign a rating to each public water system in order to provide a concise indication of its condition and performance. This rating shall be assigned based on the evaluation of the operation and performance of the water system in accordance with the requirements of the Rules. Points shall be assessed to Not Approved and Corrective Action rated water systems for each violation of these requirements (R309-101 through R309-113 and R309-301 through R309-302) as the requirements apply to each individual water system. The number of points that shall be assessed are outlined in the following sections of this rule. The number of points represent the threat to the quality of the water and thereby public health.

(2) Points are assessed in the following categories: Quality, Monitoring and Public Notification; Physical Deficiencies; Operator Certification; Cross Connection Control; Drinking Water Source Protection; Administrative Issues; and Reporting and Record Maintenance.

(3) Based upon the accumulation of points, the public water system shall be assigned one of the following ratings.

(a) Approved - In order to qualify for an Approved rating, the public water system must maintain a point total less than the following:

(i) Community water system - 150 points;

(ii) Non-Transient Non-Community water system - 120 points; and

(iii) Non-Community water system - 100 points.

(b) Not Approved - In order for a public water system to receive a Not Approved rating the accumulation of points for the water system must exceed the totals listed above.

(c) Corrective Action - In order to qualify for a Corrective Action rating the public water system must submit the following:

(i) A written agreement to the Executive Secretary stating a willingness to comply with the requirements set forth in the Rules; and

(ii) A compliance schedule and time table agreed upon by the Executive Secretary outlining the necessary construction or changes to correct any physical deficiencies or monitoring failures; and

(iii) Proof of the financial ability of the water system or that the financial arrangements are in place to correct the water system deficiencies.

(iv) The Corrective Action rating shall continue until the total project is completed or until a suitable construction inspection or sanitary survey is

conducted to determine the effectiveness of the improvements or the accumulation of points drops below the threshold for a not approved rating whichever is later.

(4) The water system point accumulation shall be adjusted on a quarterly basis or as current information is available to the Executive Secretary. The appropriate water system rating shall then be adjusted to reflect the current point total.

(5) The Executive Secretary may at any time rate a water system not approved if an immediate threat to public health exists. This rating shall remain in place until such time as the threat is alleviated and the cause is corrected.

(6) Any water system may appeal its assigned rating or assessed points to the Drinking Water Board by filing a request for a hearing with the Executive Secretary. The Executive Secretary shall place this matter on the agenda of the next regular meeting and so inform the appellant. The request for a hearing must be received by the Executive Secretary at least 14 calendar days prior to a scheduled Board meeting in order to be placed on the Board's agenda.

R309-150-5. Quality, Monitoring and Public Notification Violations.

(1) Bacteriologic:

All points assessed to public water systems via this subsection are based on violations of the quality standards in R309-103.2.6; or the monitoring requirements in R309-104-4.6; and the associated public notification requirements in R309-104-7. The bacteriological assessments shall be updated on a monthly basis with the total number of points reflecting the most recent twelve month period or the most recent 4 quarters for those water systems that collect bacteriological samples quarterly.

(a) For each major bacteriological routine monitoring violation 35 points shall be assessed. For each failure to perform the associated public notification 5 points shall be assessed.

(b) For each minor bacteriological routine monitoring violation 10 points shall be assessed. For each failure to perform the associated public notification 2 points shall be assessed.

(c) For each major bacteriological repeat monitoring violation 40 points shall be assessed. For each failure to perform the associated public notification 5 points shall be assessed.

(d) For each minor bacteriological repeat monitoring violation 10 points shall be assessed. For each failure to perform the associated public notification 2 points shall be assessed.

(e) For each additional monitoring violation (R309-104-4.6.2.e.) 10 points shall be assessed. For each failure to perform the associated public notification 2 points shall be assessed.

(f) For each non-acute bacteriological MCL violation (R309-103-2.7.a) 40 points shall be assessed. For each failure to perform the associated public notification 10 points shall be assessed.

(g) For each acute bacteriological MCL violation (R309-103-2.7.b.) 50 points shall be assessed. For each failure to perform the associated public notification 10 points shall be assessed.

(2) Chemical:

All points assessed to public water systems via this subsection are based on violations of the quality standards in R309-103.2; or the monitoring requirements in R309-104-4; and the associated public notification requirements in R309-104-7. The chemical assessments shall be updated on a quarterly basis with the total number of points reflecting the most recent compliance period unless otherwise specified. Points for any chemical MCL violation shall remain on record until the quality issue is resolved. Points for any monitoring violation shall be deleted as the required chemical samples are taken and the analytical results are reported to the Executive Secretary.

(a) Inorganic and Metal Contaminants:

(i) For each major chemical monitoring violation for inorganic and metal contaminants 20 points shall be assessed. For each failure to perform the associated public notification 3 points shall be assessed.

(ii) For each minor chemical monitoring violation for inorganic and metal contaminants 10 points shall be assessed. For each failure to perform the associated public notification 1 point shall be assessed.

(iii) For each MCL exceedance for inorganic and metal contaminants 30 points shall be assessed. For each failure to perform the associated public notification 5 points shall be assessed.

(b) Sulfate (for non-community water systems only):

- (i) For each major chemical monitoring violation for sulfate 20 points shall be assessed. For each failure to perform the associated public notification 3 points shall be assessed.
- (ii) For each minor chemical monitoring violation for sulfate 10 points shall be assessed. For each failure to perform the associated public notification 1 point shall be assessed.
- (iii) For each MCL exceedance for sulfate 30 points shall be assessed. For each failure to perform the associated public notification 5 points shall be assessed.

(c) Radiologic Contaminants:

- (i) For each major chemical monitoring violation for radiological contaminants 20 points shall be assessed. For each failure to perform the associated public notification 3 points shall be assessed.
- (ii) For each minor chemical monitoring violation for radiological contaminants 10 points shall be assessed. For each failure to perform the associated public notification 1 point shall be assessed.
- (iii) For each MCL exceedance for radiological contaminants 30 points shall be assessed. For each failure to perform the associated public notification 5 points shall be assessed.

(d) Asbestos Contaminants:

- (i) For each major chemical monitoring violation for source water or distribution system asbestos 20 points shall be assessed. For each failure to perform the associated public notification 3 points shall be assessed.
- (ii) For each minor chemical monitoring violation for source water or distribution system asbestos 10 points shall be assessed. For each failure to perform the associated public notification 1 point shall be assessed.
- (iii) For each MCL exceedance for source water or distribution system asbestos 30 points shall be assessed. For each failure to perform the associated public notification 5 points shall be assessed.

(e) Nitrate:

- (i) For each routine chemical monitoring violation for nitrate 35 points shall be assessed. For each failure to perform the associated public notification 5 points shall be assessed.

(ii) For each MCL exceedance of nitrate 50 points shall be assessed. For each failure to perform the associated public notification 10 points shall be assessed.

(f) Nitrite:

(i) For each routine chemical monitoring violation for nitrite 35 points shall be assessed. For each failure to perform the associated public notification 5 points shall be assessed.

(ii) For each MCL exceedance of nitrite 50 points shall be assessed. For each failure to perform the associated public notification 10 points shall be assessed.

(g) Volatile Organic Chemicals:

(i) For each major chemical monitoring violation for volatile organic chemical contaminants 20 points shall be assessed. For each failure to perform the associated public notification 3 points shall be assessed.

(ii) For each minor chemical monitoring violation for volatile organic chemical contaminants 10 points shall be assessed. For each failure to perform the associated public notification 1 point shall be assessed.

(iii) For each MCL exceedance for volatile organic chemical contaminants 30 points shall be assessed. For each failure to perform the associated public notification 5 points shall be assessed.

(h) Pesticides/PCBs/SOCs

(i) For each major chemical monitoring violation for pesticide/PCB/SOC contaminants 20 points shall be assessed. For each failure to perform the associated public notification 3 points shall be assessed.

(ii) For each minor chemical monitoring violation for pesticide/PCB/SOC contaminants 10 points shall be assessed. For each failure to perform the associated public notification 1 point shall be assessed.

(iii) For each MCL exceedance for pesticide/PCB/SOC contaminants 30 points shall be assessed. For each failure to perform the associated public notification 5 points shall be assessed.

(i) Unregulated Organics:

(i) For each routine chemical monitoring violation for unregulated contaminants 5 points shall be assessed. For each failure to perform the associated public notification 1 point shall be assessed.

(j) Total Trihalomethanes:

(i) For each routine chemical monitoring violation for total trihalomethanes 10 points shall be assessed. For each failure to perform the associated public notification 1 point shall be assessed.

(ii) For each MCL exceedance for total trihalomethanes 30 points shall be assessed. For each failure to perform the associated public notification 5 points shall be assessed.

(k) Lead and Copper:

(i) For each major chemical monitoring violation for lead and copper contaminants 20 points shall be assessed. For each failure to perform the associated public notification 3 points shall be assessed.

(ii) For each minor chemical monitoring violation for lead and copper contaminants 10 points shall be assessed. For each failure to perform the associated public notification 1 point shall be assessed.

(iii) A system which fails to install, by the designated deadline, optimal corrosion control if the lead or copper action level has been exceeded shall be assessed 35 points. For each failure to perform the associated public notification 10 point shall be assessed.

(iv) A system which fails to install source water treatment if the source waters exceed the lead or copper action level shall be assessed 35 points. For each failure to perform the associated public notification 10 points shall be assessed.

(v) A system which fails to complete public notification/education if the lead/copper action levels have been exceeded shall be assessed 10 points for each calendar quarter that the system fails to provide public notification/education.

(vi) A system which still exceeds the lead action level and is not on schedule for lead line replacement shall be assessed 5 points annually. For each failure to perform the associated public notification 2 point shall be assessed.

(l) Groundwater Turbidity:

(i) For each monitoring violation for turbidity 35 points shall be assessed. For each failure to perform the associated public notification 5 points shall be assessed.

(ii) For each confirmed MCL exceedance of turbidity 50 points shall be assessed. For each failure to perform the associated public notification 10 points shall be assessed.

(m) Surface Water Treatment:

(i) Plant Operation: Based upon the following criteria (a. through d.) 20 to 150 points shall be assessed as appropriate to indicate the threat to public health. For the associated failure to perform public notification 1 to 10 points shall be assessed. The surface water treatment assessments shall be updated on a monthly basis with the total number of points reflecting the most recent twelve month period.

(A) Number of events where disinfectant level in water entering the distribution system is less than 0.2 milligrams per liter for more than 4 hours; or

(B) Number of events where turbidity exceeds 5 NTU; or

(C) Each month where the percentage of turbidity interpretations meeting the treatment plant limit is less than 95 percent; or

(D) Each month where the percentage of distribution sampling violations for detectable levels of disinfectant is greater than 5 percent.

(ii) For water systems having sources which are classified as under direct influence from surface water and which fail to abandon, retrofit or provide conventional complete treatment or it's equivalent within 18 months of notification shall be assessed 20 to 50 points based upon the degree and seasonality of the surface water influence. For the associated failure to perform public notification 10 points shall be assessed. The points shall be assessed as the failure occurs and shall remain on record until adequate treatment is provided or the source is physically disconnected.

R309-150-6. Physical Facilities.

All points assessed to public water systems via this subsection are based upon violation of R309-113 and R309-200 through R309-211. These points shall be assessed and updated upon notification of the Executive Secretary and shall remain until the violation or deficiency no longer exists.

(1) New Source Approval:

- (a) Use of an unapproved source shall be assessed 150 points.

(2) Surface Water Diversion Structures and Impoundments:

- (a) For each surface water intake structure that does not allow for withdrawal of water from more than one level if quality significantly varies with depth 2 points shall be assessed.
- (b) Where no facilities exist for release (wasting) of less desirable water held in storage 2 points shall be assessed.
- (c) Where the diversion facilities do not minimize frazil ice formation by holding intake velocities to less than 0.5 feet per second 2 points shall be assessed.
- (d) Where diversion facilities are not adequately protected from damage by ice buildup 2 points shall be assessed.
- (e) Where diversion facilities are not capable of keeping large quantities of fish or debris from entering the intake 2 points shall be assessed.
- (f) Where reservoirs have not had brush and trees removed to the high water level 2 points shall be assessed.
- (g) Where reservoir watershed management has not provided adequate precautions to limit nutrient loading 10 points shall be assessed.

(3) Well Sources

- (a) For each well which is not equipped with a sanitary seal, or has any unsealed opening into the well casing 50 points shall be assessed.
- (b) For each well which does not utilize food grade mineral oil for pump lubrication 25 points shall be assessed.
- (c) For each well casing which does not terminate at least 12 inches above the pumphouse floor, 18 inches above ground, and/or five feet above the highest flood elevation, or is not fitted with an acceptable pitless adaptor 1 to 20 points shall be assessed based upon whether the adjacent land slopes toward or away from the wellhead; the integrity of the cement surrounding the wellhead and other factors that would jeopardize the integrity of the wellhead seal.

- (d) For each well casing vent which is not properly covered with a No. 14 mesh screen 5 points shall be assessed.
- (e) For each well which has discharge piping that is not properly equipped with 1) a smooth nosed sampling tap 2) check valve 3) pressure gauge 4) means of measuring flow and 5) shutoff valve 1 to 5 points shall be assessed depending upon the number of the above components that are present.
- (f) For each well where there is no means to release trapped air from the discharge piping 5 points shall be assessed.
- (g) For each well house which does not have a drain-to-daylight installed 5 points shall be assessed.

(4) Spring Sources:

- (a) For each spring source which allows surface water to stand or pond upon the spring collection area (within 50 feet from collection devices) 1 to 20 points shall be assessed. The number of points shall be based upon the size and extent of the ponding; the possible source (rainfall or incomplete collection); or the presence of moss or other indicators of long term presence of standing water.
- (b) For each spring area which does not have a minimum of ten feet of relative impervious soil or an acceptable liner 10 points shall be assessed.
- (c) For each spring area that has deep rooted vegetation within the fenced collection area 10 points shall be assessed.
- (d) For each spring area that has deep rooted vegetation interfering with the spring collection 10 points shall be assessed.
- (e) For each spring which does not have a proper collection/junction box; and does not have the following: a proper shoebox lid, gasket, No. 14 mesh screen on the vent line and lock; 1 to 25 points shall be assessed. The number of points shall be determined by the number of the above items that are present.
- (f) For each spring collection area without a proper fence (unless the spring is located in a remote area where no grazing or public access is possible as specified in R309-106(5)(e)) 10 points shall be assessed.
- (g) For each spring collection area that does not have a diversion channel capable of diverting surface water away from the collection area 5 points shall be assessed.

(h) For each spring system which does not have a permanent flow measuring device 5 points shall be assessed.

(i) For each spring area with an overflow/drain that is not properly screened with a No. 4 mesh screen or does not have adequate freefall (12 to 24 inches) between the drain invert and the surrounding ground 5 to 10 points shall be assessed. The number of points shall be based upon the presence of a screen and the slope of the ground surrounding the overflow/drain outlet.

(5) Disinfection by gaseous chlorine:

(a) A chlorinated water system that does not maintain a detectable chlorine residual throughout the distribution system shall be assessed 10 points.

(b) An improperly heated, lighted, and vented chlorinator building shall be assessed 2 points.

(c) A chlorinated water system that does not have a test kit to measure chlorine residual shall be assessed 2 points.

(d) A chlorinated water system that does not have a cylinder wrench located on the yoke valve shall be assessed 2 points.

(e) A chlorinated water system that utilizes one ton cylinders and does not have proper chlorine leak detection and repair kit equipment shall be assessed 15 points.

(f) A chlorinated water system that utilizes 150 pound cylinders and does not have proper chlorine leak detection and repair kit equipment shall be assessed 2 points.

(g) A chlorinated water system that does not have chlorine cylinders properly restrained or isolated from operating areas shall be assessed 2 points.

(h) A chlorinated water system that does not have a feeder vent properly vented to the outside and screened with a No. 14 mesh screen shall be assessed 2 points.

(i) A chlorinated water system without means to measure chlorine feed and cylinder usage shall be assessed 2 points.

(j) A chlorinated water system without access to a properly stored gas mask or stores a gas mask in the same room where chlorine gas is handled shall be assessed 5 points.

(k) A chlorination station without a means of measuring the volume of water treated shall be assessed 2 points.

(6) Disinfection by liquid hypochlorite:

(a) A chlorinated water system that does not maintain a detectable chlorine residual throughout the distribution system shall be assessed 10 points.

(b) An improperly housed and secured hypochlorinator station shall be assessed 2 points.

(c) A chlorinated water system that does not have a test kit to measure chlorine residual shall be assessed 2 points.

(d) A chlorinated water system that does not maintain a spare parts repair kit for the positive displacement pumps shall be assessed 2 points.

(e) A hypochlorination station without a means of measuring the volume of water treated shall be assessed 2 points.

(7) Storage:

(a) A water system with an uncovered finished water storage reservoir shall immediately be assessed a rating of not approved.

(b) For each storage reservoir access that is not an overlapping (shoe box) type lid, locked and is at least 4 inches above the top of the tank 10 points shall be assessed.

(c) For each improperly vented storage reservoir 5 points shall be assessed.

(d) For each storage reservoir overflow that: is not properly screened, is not sloped for drainage, or is connected to a sewer without an appropriate air gap; 5 to 15 points shall be assessed based on the number and severity of the above items that are present.

(e) For each storage reservoir with inadequate or improper means of drainage 2 points shall be assessed.

(f) For each storage reservoir where the roof and sidewalls are not water tight shall be assessed 10 to 50 points based upon the size and number of cracks, the loss of structural integrity and the access of contamination to the drinking water.

(g) For each storage reservoir without an access ladder, or railing where required (elevated tank) 2 points shall be assessed.

(h) For each storage reservoir with internal coatings not in compliance with ANSI/NSF standard 61 30 points shall be assessed.

(8) Distribution System:

(a) A water system which fails to provide at least the water pressure as required in R309-105-9 at all times and at all locations within the distribution system shall be assessed 50 points.

(b) A water system using unapproved pipe and materials shall be assessed 30 points.

(c) A water system with pipelines installed improperly without adequate clearance or separation from sewer lines shall be assessed 30 points.

(d) For each air vacuum release valve which is not properly screened and turned down 2 points shall be assessed up to a maximum of 20 points per system.

(e) For each flooded air vacuum release valve chamber 20 points shall be assessed up to a maximum of 50 points per system.

(9) Quantity requirements

(a) A water system which does not have sufficient source capacity to meet peak daily and average yearly flow requirements shall be assessed from 5 to 50 points. The number of points shall be based upon the severity of the shortage including the number of times and duration of water outages or low pressure.

(b) A water system which does not have sufficient storage capacity to meet average daily flow requirements shall be assessed from 5 to 50 points. The number of points shall be based upon the severity of the shortage including the number of times and duration of water outages.

R309-150-7. Operator Certification.

Operator certification:

(1) A water system that is required to have a certified operator and does not shall be assessed 30 points.

(2) A water system where the operator is not certified at the appropriate level shall be assessed 10 points.

(3) A grade 3 or 4 water system that does not have all direct responsible charge operators (as specified in R309-301-5) certified at no more than one grade level below the level of the system shall be assessed 5 to 15 points. The number of points shall be based on the percentage of time that the water system is operated by operators not certified at the required level.

(4) A water system may be credited up to a maximum of 20 points which shall remain on record for as long as the conditions apply. The following items are eligible for credit:

(a) A water system that is not required to have a certified operator and does shall be credited 10 points.

(b) A water system that has operators that are certified at a higher level than required shall be credited 10 points.

(c) A water system that has operators certified in other areas that are not required by that water system, such as treatment or backflow prevention certification, shall be credited 10 points.

R309-150-8. Cross Connection Control Program.

Cross Connection Control Program:

(1) A water system which does not have any of the below listed components of a cross connection control program in place shall be assessed 50 points.

(2) A water system which only has some of the components of a cross connection control program in place shall be assessed the following number of points:

(a) A water system which does not have local authority to enforce a cross connection control program (i.e., ordinance, bylaw or policy) shall be assessed 10 points.

(b) A water system that does not provided public education or awareness material or presentations on an annual basis shall be assessed 10 points.

c) A water system that does not have an operator with training in the area of cross connection control or backflow prevention shall be assessed 10 points.

(d) A water system with no written records of cross connection control activities, such as, backflow assembly inventory and test history, shall be assessed 10 points.

(e) A water system that does not have on-going enforcement activities (hazard assessments and enforcement actions) shall be assessed 10 points.

R309-150-9. Drinking Water Source Protection.

Drinking water source protection (well, spring or tunnel): Points shall be assessed for each source after a system fails to complete source protection plans as specified in R309-113. The points shall remain until such time as the source protection plan is completed and concurred with.

(1) For each groundwater source for which a protection area has not been delineated shall be assessed 5 points.

(2) For each groundwater source for which there is no inventory of potential contamination sources 5 points shall be assessed.

(3) For each groundwater source for which potential contamination sources assessed are not adequately controlled 5 points shall be assessed.

(4) For each groundwater source where there is not a plan to address any new potential contamination sources that may be located in protection areas shall be assessed 5 points.

(5) For each water system that completes a source protection plan prior to the required deadline in R309-113, the system shall receive a credit of 20 points that shall remain on record until the deadline requiring a plan for the system's source(s) passes.

R309-150-10. Administrative Issues.

Points in this area shall be assessed at the time that the failure occurs or upon notification of the Executive Secretary and shall remain until the issue is resolved unless otherwise specified.

(1) Administrative Data –

(a) A water system which has not designated a person or organizational official responsible for the system including a current address and phone number shall be assessed 10 points.

(b) A water system project constructed without proper plan approval shall be assessed 1 to 50 points based on an evaluation of the project which shall include the structural or engineering integrity of the project; whether the plans and

specifications were prepared and stamped by a licensed professional engineer; the adequacy of the materials used and the impact on the operation of the water system (good or bad). The points assessed shall remain on record for a period of one year.

(2) A water system with a current written Emergency Response Program . .

. . . shall be credited 10 points that shall remain on record as long as the Program remains current.

(3) A water system with a written Financial Management Plan . . .

. . . including an appropriate rate structure, infra-structure replacement fund, and master plan shall be credited 10 points that shall remain on record as long as the Plan is current.

(4) Sampling Site Plans:

(a) A water system which does not have an adequate bacteriological sampling site plan shall be assessed 5 points.

(b) A water system which does not have a lead/copper sampling site plan shall be assessed 10 points.

(5) Customer Complaint:

(a) 1 to 100 points may be assessed for valid and documented customer complaints. The customer complaints include but are not limited to the following:

- (i) Turbidity;
- (ii) Pressure;
- (iii) Taste and Odor;
- (iv) Sickness (water suspected); and
- (v) Waterborne Disease Outbreak (R309-104-9).
- (vi) Periods of Water Outage

(b) The number of points shall be based upon the extent and documentation of the problem and the potential impact to public health. The documentation shall

consist of an investigation by Department of Environmental Quality, Department of Health or Local Health Department personnel and may include an epidemiological study linking the drinking water to reported outbreaks of illness where appropriate.

(c) In the case of a documented waterborne disease outbreak the water system shall automatically be rated Not Approved for at least the duration of the threat to the quality of the drinking water and as long as it takes the water system to correct any deficiency that caused the outbreak.

(d) Points shall only be assessed once per issue and shall not be additive based on the number of calls per issue. These points shall be assessed and updated upon verification of the complaint by the Executive Secretary and shall remain on record until the issue or deficiency no longer exists. Points may have already been assessed in other areas as appropriate.

(6) Agency Directives

When a directive consistent with the authority of the Drinking Water Board is not complied with 1 to 100 points may be assessed to a water system. Agency directives include but are not limited to the following:

- (a) Administrative Orders;
- (b) Rule defined action;
- (c) Rule defined compliance schedule;
- (d) Variance/Exemption requirements; and
- (e) Bilateral Compliance Agreement.

Points shall be assessed based upon the severity of the non-compliance, the threat to public health and the underlying basis for the original directive.

(7) Data Falsification

The Executive Secretary may assess a water system points for data falsification. The water system may be assessed 1 to 50 points for each occurrence based upon:

- (a) the severity of the falsification;
- (b) the threat to public health;

- (c) the intent of the water system personnel; and
- (d) the type of falsification.

- (i) Reports only good data
- (ii) Doctored results from the laboratory
- (iii) Non-valid sample

Data reported to the Executive Secretary includes but is not limited to Water Treatment Plant Reports, Chlorination Reports, bacteriological and chemical analyses, and Annual Reports.

R309-150-11. Reporting and Record Maintenance Issues.

Points may be assessed for failure to provide required reports to the Executive Secretary by the reporting deadline. The points shall be assigned as the failure occurs and shall remain on record for a period of one year.

(1) Monthly Reports:

- (a) For each failure to report the monthly water treatment plant report 10 points shall be assessed.
- (b) For each failure to report the monthly chlorination report 10 points shall be assessed.

(2) Annual Reports - For failure to provide the annual report 2 points shall be assessed.

KEY: drinking water, environmental protection, water system rating, administrative procedure
March 8, 2006 19-4-104
Notice of Continuation August 10, 2000 63-46b-4

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